

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

HEIDI S. PETERSON,

Plaintiff,

v.

KING COUNTY, et al.,

Defendants.

CASE NO. C20-5761 BHS

ORDER DISMISSING
COMPLAINT AND CLOSING
CASE

This matter comes before the Court on Plaintiff Heidi Peterson's ("Peterson") proposed amended complaint. Dkt. 8.

On July 27, 2020, Peterson filed a motion to proceed *in forma pauperis* and a proposed complaint. Dkts. 1, 1-1. On August 3, 2020, Magistrate Judge Fricke denied the motion to proceed *in forma pauperis* and dismissed Peterson's proposed complaint with leave to amend. Dkt. 4. On August 31, 2020, Peterson filed an amended complaint. Dkt. 8.

Similar to Peterson's original complaint, the amended complaint fails to adequately state a claim for relief. Peterson alleges that King County social worker Marry Battement made false claims in a report submitted to Brevard County, Florida, that

1 Brevard County illegally seized S.P., and that Brevard County transferred S.P. to King
2 County. *Id.* ¶¶ 9–11. Peterson then bases her 42 U.S.C. § 1983 claim on the wrongful
3 “seizure of C.L. without a court order.” *Id.* ¶ 22. Judge Fricke explicitly informed
4 Peterson of the five categories of allegations necessary to state a claim under § 1983.
5 Dkt. 4 at 5. Peterson failed to abide by these instructions by failing to allege a distinct act
6 by an individual that caused Peterson harm. Instead, she alleges King County wrongfully
7 seized one child based on allegedly false claims and then bases her claim against general
8 “Defendants” on the wrongful seizure of another minor. The Court concludes that
9 Peterson has failed to adequately state a claim for relief and **DISMISSES** Peterson’s
10 complaint without leave to amend. *See In re Read–Rite*, 335 F.3d 843, 845 (9th Cir.
11 2003) (“Where the plaintiff has previously been granted leave to amend and has
12 subsequently failed to add the requisite particularity to her claims, “[t]he district court’s
13 discretion to deny leave to amend is particularly broad.”).

14 The Clerk shall close this case.

15 **IT IS SO ORDERED.**

16 Dated this 21st day of September, 2020.

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19 BENJAMIN H. SETTLE
20 United States District Judge
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